



House of Representatives

File No. 850

General Assembly

January Session, 2007

(Reprint of File No. 200)

Substitute House Bill No. 6209
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 18, 2007

AN ACT CONCERNING THE RENEWABLE ENERGY INVESTMENT FUND.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16-245n of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) For purposes of this section, "renewable energy" means solar
4 energy, wind, ocean thermal energy, wave or tidal energy, fuel cells,
5 landfill gas, hydrogen production and hydrogen conversion
6 technologies, low emission advanced biomass conversion technologies,
7 usable electricity from combined heat and power systems with waste
8 heat recovery systems, thermal storage systems and other energy
9 resources and emerging technologies which have significant potential
10 for commercialization and which do not involve the combustion of
11 coal, petroleum or petroleum products, municipal solid waste or
12 nuclear fission.

13 (b) On and after July 1, 2004, the Department of Public Utility
14 Control shall assess or cause to be assessed a charge of not less than
15 one mill per kilowatt hour charged to each end use customer of electric

16 services in this state which shall be deposited into the Renewable
17 Energy Investment Fund established under subsection (c) of this
18 section. Notwithstanding the provisions of this section, receipts from
19 such charges shall be disbursed to the resources of the General Fund
20 during the period from July 1, 2003, to June 30, 2005, unless the
21 department shall, on or before October 30, 2003, issue a financing order
22 for each affected distribution company in accordance with sections 16-
23 245e to 16-245k, inclusive, to sustain funding of renewable energy
24 investment programs by substituting an equivalent amount, as
25 determined by the department in such financing order, of proceeds of
26 rate reduction bonds for disbursement to the resources of the General
27 Fund during the period from July 1, 2003, to June 30, 2005. The
28 department may authorize in such financing order the issuance of rate
29 reduction bonds that substitute for disbursement to the General Fund
30 for receipts of both charges under this subsection and subsection (a) of
31 section 16-245m and also may in its discretion authorize the issuance of
32 rate reduction bonds under this subsection and subsection (a) of
33 section 16-245m that relate to more than one electric distribution
34 company. The department shall, in such financing order or other
35 appropriate order, offset any increase in the competitive transition
36 assessment necessary to pay principal, premium, if any, interest and
37 expenses of the issuance of such rate reduction bonds by making an
38 equivalent reduction to the charges imposed under this subsection,
39 provided any failure to offset all or any portion of such increase in the
40 competitive transition assessment shall not affect the need to
41 implement the full amount of such increase as required by this
42 subsection and sections 16-245e to 16-245k, inclusive. Such financing
43 order shall also provide if the rate reduction bonds are not issued, any
44 unrecovered funds expended and committed by the electric
45 distribution companies for renewable resource investment through
46 deposits into the Renewable Energy Investment Fund, provided such
47 expenditures were approved by the department following August 20,
48 2003, and prior to the date of determination that the rate reduction
49 bonds cannot be issued, shall be recovered by the companies from
50 their respective competitive transition assessment or systems benefits

51 charge except that such expenditures shall not exceed one million
52 dollars per month. All receipts from the remaining charges imposed
53 under this subsection, after reduction of such charges to offset the
54 increase in the competitive transition assessment as provided in this
55 subsection, shall be disbursed to the Renewable Energy Investment
56 Fund commencing as of July 1, 2003. Any increase in the competitive
57 transition assessment or decrease in the renewable energy investment
58 component of an electric distribution company's rates resulting from
59 the issuance of or obligations under rate reduction bonds shall be
60 included as rate adjustments on customer bills.

61 (c) There is hereby created a Renewable Energy Investment Fund
62 which shall be [administered by] within Connecticut Innovations,
63 Incorporated for administrative purposes only. The fund may receive
64 any amount required by law to be deposited into the fund and may
65 receive any federal funds as may become available to the state for
66 renewable energy investments. Upon authorization of the Renewable
67 Energy Investments Board established pursuant to subsection (d) of
68 this section, Connecticut Innovations, Incorporated, may use any
69 amount in said fund for expenditures which promote investment in
70 renewable energy sources in accordance with a comprehensive plan
71 developed by it to foster the growth, development and
72 commercialization of renewable energy sources, related enterprises
73 and stimulate demand for renewable energy and deployment of
74 renewable energy sources which serve end use customers in this state.
75 Such expenditures may include, but not be limited to, reimbursement
76 for services provided by the administrator of the fund including a
77 management fee, disbursements from the fund to develop and carry
78 out the plan developed pursuant to subsection (d) of this section,
79 grants, direct or equity investments, contracts or other actions which
80 support research, development, manufacture, commercialization,
81 deployment and installation of renewable energy technologies, and
82 actions which expand the expertise of individuals, businesses and
83 lending institutions with regard to renewable energy technologies.

84 (d) [The chairperson of the board of directors of Connecticut

85 Innovations, Incorporated, shall convene] There is hereby created a
86 Renewable Energy Investments [Advisory Committee to assist
87 Connecticut Innovations, Incorporated, in] Board to act on matters
88 related to the Renewable Energy Investment Fund, including, but not
89 limited to, development of a comprehensive plan and expenditure of
90 funds. The [advisory committee] Renewable Energy Investments
91 Board shall, in such plan, give preference to projects that maximize the
92 reduction of federally mandated congestion charges. The plan shall be
93 consistent with the comprehensive energy plan approved by the
94 Connecticut Energy Advisory Board pursuant to section 16a-7a. [The
95 advisory committee shall include not more than twelve individuals
96 with knowledge and experience in matters related to the purpose and
97 activities of said fund. The advisory committee shall consist of the
98 following members: (1) One person with expertise regarding
99 renewable energy resources appointed by the speaker of the House of
100 Representatives; (2) one person representing a state or regional
101 organization primarily concerned with environmental protection
102 appointed by the president pro tempore of the Senate; (3) one person
103 with experience in business or commercial investments appointed by
104 the majority leader of the House of Representatives; (4) one person
105 representing a state or regional organization primarily concerned with
106 environmental protection appointed by the majority leader of the
107 Senate; (5) one person with experience in business or commercial
108 investments appointed by the minority leader of the House of
109 Representatives; (6) one person with experience in business or
110 commercial investments appointed by the minority leader of the
111 Senate; (7) two state officials with experience in matters relating to
112 energy policy and one person with expertise regarding renewable
113 energy resources appointed by the Governor; and (8) three persons
114 with experience in business or commercial investments appointed by
115 the board of directors of Connecticut Innovations, Incorporated. The
116 advisory committee shall issue annually a report to such chairperson
117 reviewing the activities of the fund in detail and shall provide a copy
118 of such report, in accordance with the provisions of section 11-4a, to
119 the joint standing committee of the General Assembly having

120 cognizance of matters relating to energy, the Department of Public
121 Utility Control and the Office of Consumer Counsel. The report shall
122 include a description of the programs and activities undertaken during
123 the reporting period jointly or in collaboration with the Energy
124 Conservation and Load Management Funds established pursuant to
125 section 16-245m.] The Renewable Energy Investments Board shall
126 make a draft of the comprehensive plan available for public comment
127 for not less than thirty days. The board shall conduct three public
128 hearings in three different regions of the state on the draft
129 comprehensive plan and shall include a summarization of all public
130 comments received at said public hearings in the final comprehensive
131 plan approved by the board. The board shall provide a copy of the
132 comprehensive plan, in accordance with the provisions of section 11-
133 4a, to the joint standing committees of the General Assembly having
134 cognizance of matters relating to energy and commerce. The
135 Department of Public Utility Control shall, in an uncontested
136 proceeding, during which the department may hold a public hearing,
137 approve, modify or reject the comprehensive plan prepared pursuant
138 to this subsection.

139 (e) The Renewable Energy Investments Board shall include not
140 more than fifteen individuals with knowledge and experience in
141 matters related to the purpose and activities of the Renewable Energy
142 Investment Fund. The board shall consist of the following members:
143 (1) One person with expertise regarding renewable energy resources
144 appointed by the speaker of the House of Representatives; (2) one
145 person representing a state or regional organization primarily
146 concerned with environmental protection appointed by the president
147 pro tempore of the Senate; (3) one person with experience in business
148 or commercial investments appointed by the majority leader of the
149 House of Representatives; (4) one person representing a state or
150 regional organization primarily concerned with environmental
151 protection appointed by the majority leader of the Senate; (5) one
152 person with experience in business or commercial investments
153 appointed by the minority leader of the House of Representatives; (6)

154 the Commissioner of Emergency Management and Homeland Security
155 or the commissioner's designee; (7) one person with expertise
156 regarding renewable energy resources appointed by the Governor; (8)
157 two persons with experience in business or commercial investments
158 appointed by the board of directors of Connecticut Innovations,
159 Incorporated; (9) a representative of a state-wide business association,
160 manufacturing association or chamber of commerce appointed by the
161 minority leader of the Senate; (10) the Consumer Counsel; (11) the
162 Secretary of the Office of Policy and Management or the secretary's
163 designee; (12) the Commissioner of Environmental Protection or the
164 commissioner's designee; (13) a representative of organized labor
165 appointed by the Governor; and (14) a representative of residential
166 customers or low-income customers appointed by Governor. On a
167 biennial basis, the board shall elect a chairperson and vice-chairperson
168 from among its members and shall adopt such bylaws and procedures
169 it deems necessary to carry out its functions. The board may establish
170 committees and subcommittees as necessary to conduct its business.

171 (f) The board shall issue annually a report to the Department of
172 Public Utility Control reviewing the activities of the Renewable Energy
173 Investment Fund in detail and shall provide a copy of such report, in
174 accordance with the provisions of section 11-4a, to the joint standing
175 committees of the General Assembly having cognizance of matters
176 relating to energy and commerce and the Office of Consumer Counsel.
177 The report shall include a description of the programs and activities
178 undertaken during the reporting period jointly or in collaboration with
179 the Energy Conservation and Load Management Funds established
180 pursuant to section 16-245m.

181 [(e)] (g) There shall be a joint committee of the Energy Conservation
182 Management Board and the Renewable Energy Investments [Advisory
183 Committee] Board, as provided in subdivision (2) of subsection (d) of
184 section 16-245m, as amended by this act.

185 [(f)] (h) No later than December 31, 2006, and no later than
186 December thirty-first every five years thereafter, the [advisory

187 committee] board shall, after consulting with the Energy Conservation
188 Management Board, conduct an evaluation of the performance of the
189 programs and activities of the fund and submit a report, in accordance
190 with the provisions of section 11-4a, of the evaluation to the joint
191 standing [committee] committees of the General Assembly having
192 cognizance of matters relating to energy and commerce.

193 Sec. 2. Section 32-39 of the general statutes is amended by adding
194 subdivision (39) as follows (*Effective from passage*):

195 (NEW) (39) To administer the Renewable Energy Investment Fund
196 established pursuant to section 16-245n, as amended by this act.

197 Sec. 3. Section 16-245m of the general statutes is repealed and the
198 following is substituted in lieu thereof (*Effective October 1, 2007*):

199 (a) (1) On and after January 1, 2000, the Department of Public Utility
200 Control shall assess or cause to be assessed a charge of three mills per
201 kilowatt hour of electricity sold to each end use customer of an electric
202 distribution company to be used to implement the program as
203 provided in this section for conservation and load management
204 programs but not for the amortization of costs incurred prior to July 1,
205 1997, for such conservation and load management programs.

206 (2) Notwithstanding the provisions of this section, receipts from
207 such charge shall be disbursed to the resources of the General Fund
208 during the period from July 1, 2003, to June 30, 2005, unless the
209 department shall, on or before October 30, 2003, issue a financing order
210 for each affected electric distribution company in accordance with
211 sections 16-245e to 16-245k, inclusive, to sustain funding of
212 conservation and load management programs by substituting an
213 equivalent amount, as determined by the department in such financing
214 order, of proceeds of rate reduction bonds for disbursement to the
215 resources of the General Fund during the period from July 1, 2003, to
216 June 30, 2005. The department may authorize in such financing order
217 the issuance of rate reduction bonds that substitute for disbursement to
218 the General Fund for receipts of both the charge under this subsection

219 and under subsection (b) of section 16-245n and also may, in its
220 discretion, authorize the issuance of rate reduction bonds under this
221 subsection and subsection (b) of section 16-245n that relate to more
222 than one electric distribution company. The department shall, in such
223 financing order or other appropriate order, offset any increase in the
224 competitive transition assessment necessary to pay principal,
225 premium, if any, interest and expenses of the issuance of such rate
226 reduction bonds by making an equivalent reduction to the charge
227 imposed under this subsection, provided any failure to offset all or any
228 portion of such increase in the competitive transition assessment shall
229 not affect the need to implement the full amount of such increase as
230 required by this subsection and by sections 16-245e to 16-245k,
231 inclusive. Such financing order shall also provide if the rate reduction
232 bonds are not issued, any unrecovered funds expended and committed
233 by the electric distribution companies for conservation and load
234 management programs, provided such expenditures were approved
235 by the department after August 20, 2003, and prior to the date of
236 determination that the rate reduction bonds cannot be issued, shall be
237 recovered by the companies from their respective competitive
238 transition assessment or systems benefits charge but such expenditures
239 shall not exceed four million dollars per month. All receipts from the
240 remaining charge imposed under this subsection, after reduction of
241 such charge to offset the increase in the competitive transition
242 assessment as provided in this subsection, shall be disbursed to the
243 Energy Conservation and Load Management Fund commencing as of
244 July 1, 2003. Any increase in the competitive transition assessment or
245 decrease in the conservation and load management component of an
246 electric distribution company's rates resulting from the issuance of or
247 obligations under rate reduction bonds shall be included as rate
248 adjustments on customer bills.

249 (b) The electric distribution company shall establish an Energy
250 Conservation and Load Management Fund which shall be held
251 separate and apart from all other funds or accounts. Receipts from the
252 charge imposed under subsection (a) of this section shall be deposited

253 into the fund. Any balance remaining in the fund at the end of any
254 fiscal year shall be carried forward in the fiscal year next succeeding.
255 Disbursements from the fund by electric distribution companies to
256 carry out the plan developed under subsection (d) of this section shall
257 be authorized by the Department of Public Utility Control upon its
258 approval of such plan.

259 (c) The Department of Public Utility Control shall appoint and
260 convene an Energy Conservation Management Board which shall
261 include representatives of: (1) An environmental group knowledgeable
262 in energy conservation program collaboratives; (2) the Office of
263 Consumer Counsel; (3) the Attorney General; (4) the Department of
264 Environmental Protection; (5) the electric distribution companies in
265 whose territories the activities take place for such programs; (6) a state-
266 wide manufacturing association; (7) a chamber of commerce; (8) a
267 state-wide business association; (9) a state-wide retail organization;
268 (10) a representative of a municipal electric energy cooperative created
269 pursuant to chapter 101a; (11) two representatives selected by the gas
270 companies in this state; and (12) residential customers. Such members
271 shall serve for a period of five years and may be reappointed.
272 Representatives of the gas companies shall not vote on matters
273 unrelated to gas conservation. Representatives of the electric
274 distribution companies and the municipal electric energy cooperative
275 shall not vote on matters unrelated to electricity conservation.

276 (d) (1) The Energy Conservation Management Board shall advise
277 and assist the electric distribution companies in the development and
278 implementation of a comprehensive plan, which plan shall be
279 approved by the Department of Public Utility Control, to implement
280 cost-effective energy conservation programs and market
281 transformation initiatives. The plan shall be consistent with the
282 comprehensive energy plan approved by the Connecticut Energy
283 Advisory Board pursuant to section 16a-7a at the time of submission to
284 the department. Each program contained in the plan shall be reviewed
285 by the electric distribution company and either accepted or rejected by
286 the Energy Conservation Management Board prior to submission to

287 the department for approval. The Energy Conservation Management
288 Board shall, as part of its review, examine opportunities to offer joint
289 programs providing similar efficiency measures that save more than
290 one fuel resource or otherwise to coordinate programs targeted at
291 saving more than one fuel resource. Any costs for joint programs shall
292 be allocated equitably among the conservation programs. The Energy
293 Conservation Management Board shall give preference to projects that
294 maximize the reduction of federally mandated congestion charges. The
295 Department of Public Utility Control shall, in an uncontested
296 proceeding during which the department may hold a public hearing,
297 approve, modify or reject the comprehensive plan prepared pursuant
298 to this subsection.

299 (2) There shall be a joint committee of the Energy Conservation
300 Management Board and the Renewable Energy Investments [Advisory
301 Committee] Board. The board and the advisory committee shall each
302 appoint members to such joint committee. The joint committee shall
303 examine opportunities to coordinate the programs and activities
304 funded by the Renewable Energy Investment Fund pursuant to section
305 16-245n with the programs and activities contained in the plan
306 developed under this subsection to reduce the long-term cost,
307 environmental impacts and security risks of energy in the state. Such
308 joint committee shall hold its first meeting on or before August 1, 2005.

309 (3) Programs included in the plan developed under subdivision (1)
310 of this subsection [(d) of this section] shall be screened through cost-
311 effectiveness testing which compares the value and payback period of
312 program benefits to program costs to ensure that programs are
313 designed to obtain energy savings and system benefits, including
314 mitigation of federally mandated congestion charges, whose value is
315 greater than the costs of the programs. Cost-effectiveness testing shall
316 utilize available information obtained from real-time monitoring
317 systems to ensure accurate validation and verification of energy use.
318 Program cost-effectiveness shall be reviewed annually, or otherwise as
319 is practicable. If a program is determined to fail the cost-effectiveness
320 test as part of the review process, it shall either be modified to meet the

321 test or shall be terminated. On or before March 1, 2005, and on or
322 before March first annually thereafter, the board shall provide a report,
323 in accordance with the provisions of section 11-4a, to the joint standing
324 committees of the General Assembly having cognizance of matters
325 relating to energy and the environment (A) that documents
326 expenditures and fund balances and evaluates the cost-effectiveness of
327 such programs conducted in the preceding year, and (B) that
328 documents the extent to and manner in which the programs of such
329 board collaborated and cooperated with programs, established under
330 section 7-233y, of municipal electric energy cooperatives. To maximize
331 the reduction of federally mandated congestion charges, programs in
332 the plan may allow for disproportionate allocations between the
333 amount of contributions to the Energy Conservation and Load
334 Management Funds by a certain rate class and the programs that
335 benefit such a rate class. Before conducting such evaluation, the board
336 shall consult with the Renewable Energy Investments [Advisory
337 Committee] Board. The report shall include a description of the
338 activities undertaken during the reporting period jointly or in
339 collaboration with the Renewable Energy Investment Fund established
340 pursuant to subsection (c) of section 16-245n, as amended by this act.

341 (4) Programs included in the plan developed under subdivision (1)
342 of this subsection [(d) of this section] may include, but not be limited
343 to: (A) Conservation and load management programs, including
344 programs that benefit low-income individuals; (B) research,
345 development and commercialization of products or processes which
346 are more energy-efficient than those generally available; (C)
347 development of markets for such products and processes; (D) support
348 for energy use assessment, real-time monitoring systems, engineering
349 studies and services related to new construction or major building
350 renovation; (E) the design, manufacture, commercialization and
351 purchase of energy-efficient appliances and heating, air conditioning
352 and lighting devices; (F) program planning and evaluation; (G) indoor
353 air quality programs relating to energy conservation; (H) joint fuel
354 conservation initiatives programs targeted at reducing consumption of

355 more than one fuel resource; and (I) public education regarding
 356 conservation. Such support may be by direct funding, manufacturers'
 357 rebates, sale price and loan subsidies, leases and promotional and
 358 educational activities. The plan shall also provide for expenditures by
 359 the Energy Conservation Management Board for the retention of
 360 expert consultants and reasonable administrative costs provided such
 361 consultants shall not be employed by, or have any contractual
 362 relationship with, an electric distribution company. Such costs shall
 363 not exceed five per cent of the total revenue collected from the
 364 assessment.

365 (e) Notwithstanding the provisions of subsections (a) to (d),
 366 inclusive, of this section, the Department of Public Utility Control shall
 367 authorize the disbursement of a total of one million dollars in each
 368 month, commencing with July, 2003, and ending with July, 2005, from
 369 the Energy Conservation and Load Management Funds established
 370 pursuant to said subsections. The amount disbursed from each Energy
 371 Conservation and Load Management Fund shall be proportionately
 372 based on the receipts received by each fund. Such disbursements shall
 373 be deposited in the General Fund.

374 (f) No later than December 31, 2006, and no later than December
 375 thirty-first every five years thereafter, the Energy Conservation
 376 Management Board shall, after consulting with the Renewable Energy
 377 Investments [Advisory Committee] Board, conduct an evaluation of
 378 the performance of the programs and activities of the fund and submit
 379 a report, in accordance with the provisions of section 11-4a, of the
 380 evaluation to the joint standing committee of the General Assembly
 381 having cognizance of matters relating to energy.

382 (g) Repealed by P.A. 06-186, S. 91, effective July 1, 2006.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	16-245n
Sec. 2	<i>from passage</i>	32-39

Sec. 3	October 1, 2007	16-245m
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Statement of Legislative Commissioners:

In subsection (d) of section 1, "procedure" was changed to "proceeding" for statutory consistency.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
CT Innovations Inc. (quasi-public)	Clean Energy Fund - Cost	Minimal	Minimal

Municipal Impact: None

Explanation

This would result in a minimal cost to Connecticut Innovations, Inc (CII) for the bill's requirement that CII hold public hearings in three different regions in the state. These minimal costs are anticipated to be covered by available resources.

House "A" altered the underlying bill by requiring CII to hold public hearings, as well as other changes which result in no fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 6209 (as amended by House "A")******AN ACT CONCERNING THE RENEWABLE ENERGY INVESTMENT FUND.*****SUMMARY:**

This bill creates the Renewable Energy Investments Board and requires Connecticut Innovations, Inc. (CII) to spend money in the Clean Energy Fund as authorized by the board. It specifies the board's membership and establishes its responsibilities. It eliminates the advisory committee that currently assists CII to develop a comprehensive plan, among other things.

Under current law, the Energy Conservation Management Board (ECMB) helps the electric companies develop a plan to implement cost-effective conservation programs and the plan is subject to Department of Public Utility Control (DPUC) approval. The bill requires DPUC to approve, modify, or reject the plan in an uncontested proceeding. It allows DPUC to hold a public hearing as part of this proceeding.

The bill also makes conforming changes.

*House Amendment "A" replaces the original bill, which expanded the membership of the advisory committee and modified how its members are appointed.

EFFECTIVE DATE: October 1, 2007, except for the provision explicitly allowing CII to administer the fund in accordance with the bill, which is effective upon passage.

RENEWABLE ENERGY INVESTMENTS BOARD

Membership

Under the bill, the Renewable Energy Investments Board has up to 15 members. The board consists of the Consumer Counsel and the heads of the following agencies, or their designees: the Department of Emergency Management and Homeland Security, the Office of Policy and Management, and the Department of Environmental Protection. The board also has 11 appointed members, as described in Table 1. The membership of the new board is similar to that of the existing advisory committee.

Table 1: Appointed Members of the Renewable Energy Investments Board

Appointing Authority	Members
Governor	One person with expertise in renewable energy resources, one representative of organized labor, and one representative of residential customers or low-income customers
Senate president pro tempore	One representative of a state or regional environmental protection organization
House speaker	One person with expertise in renewable energy resources
Senate majority leader	One representative of a state or regional environmental protection organization
House majority leader	One person with experience in business or commercial investments
House minority leader	One person with experience in business or commercial investments
Senate minority leader	One representative of a statewide business organization, manufacturing association, or chamber of commerce
CII Board of Directors	Two persons with experience in business or commercial investments

Every two years, the board must elect a chairperson and vice-chairperson. It must adopt necessary bylaws and procedures and can establish committees and subcommittees to carryout its business.

Responsibilities

Under current law, CII is responsible for administering the Clean Energy Fund. The bill allows CII to spend money from the fund only

upon the authorization of the Renewable Energy Investments Board and places the fund within CII for administrative purposes only. The bill explicitly authorizes CII to administer the fund as provided for in the bill. It allows the fund to (1) reimburse the services of the fund administrator, including a management fee and (2) be used to develop and carry out the renewable energy plan described below.

Under current law, the chairperson of CII's board of directors appoints an advisory committee to help CII regarding the Clean Energy Fund, including the development of a comprehensive plan and expenditure of money in the fund. The bill instead requires the board to act on matters related to the fund, including plan development and expenditure of funds. It requires the board to make a draft of the plan available for public comment for at least 30 days. It requires the board to hold three hearings on the draft plan in different parts of the state. The board must summarize the comments it receives in the final plan approved by the board. It must provide a copy of the plan to the Energy and Technology and Commerce committees. The board must submit the plan to DPUC, which must approve, modify, or reject the plan in an uncontested proceeding. DPUC can hold a public hearing as part of this proceeding.

The board must annually submit a report to DPUC reviewing the activities of the Clean Energy Fund and provide a copy of the report to the Energy and Technology and Commerce committees and to the Office of Consumer Counsel. The report must describe the programs and activities undertaken jointly or in collaboration with the electric companies' conservation funds during the reporting period.

Under current law, the advisory committee must evaluate the performance of the fund by December 31, 2011 and every five years thereafter and submit the report to the Energy and Technology Committee. The bill transfers this responsibility to the board and requires that the report go to the Commerce Committee as well.

Under current law, there is a joint committee of the advisory

committee and ECMB. The bill instead requires that there be a joint committee of ECMB and the Renewable Energy Investments Board. By law, the joint committee is required to coordinate conservation and renewable energy programs and activities.

Under current law, ECMB must consult with the advisory committee in evaluating the performance of the electric companies' conservation funds. The bill instead requires ECMB to consult with the Renewable Energy Investments Board.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 19 Nay 2 (03/13/2007)

Government Administration and Elections Committee

Joint Favorable

Yea 9 Nay 4 (04/11/2007)

Commerce Committee

Joint Favorable

Yea 18 Nay 0 (04/26/2007)

Joint Committee on Legislative Management

Joint Favorable

Yea 24 Nay 0 (05/02/2007)

Appropriations Committee

Joint Favorable

Yea 33 Nay 1 (05/04/2007)